

COOPER & DUNHAM LLP  
ATTORNEYS AT LAW1185 AVENUE OF THE AMERICAS, NEW YORK, NEW YORK 10036  
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CHRISTOPHER C. DUNHAM	IVAN S. KAVRUKOV
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ASHTON J. DELAUNAY*	JEFREY C. SHIEH*
CINDY YANG	NARESH SRITHARAN*
RON BILLINGSLEY	

FACSIMILE: (212) 391-0525  
(212) 391-0526  
(212) 391-0630OF COUNSEL  
DONALD S. DOWDEN  
JOHN R. GARBER  
MARK A. FARLEYSCIENTIFIC ADVISORS  
BRIAN J. ANG, PH.D.  
NICHOLAS F. MUTO, PH.D.  
JOSEPH S. CRYSTAL, PH.D.  
ARMAND L. BALBONI, M.PHIL.  
MURIEL M. LIBERTO, PH.D.  
ANNE C. MARINOVIC, PH.D.  
ANTHONY C. KHONG, PH.D.  
JOHN X. MABERMAN, PH.D.FOUNDED 1887  
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COMPANY/FIRM : USPTO Group Art Unit 1653

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MESSAGE: Further to your request made earlier today, I am faxing herewith copies of the receipts for deposits made with the American Type Culture Collection in connection with U.S. Serial No. 09/043,944.

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# American Type Culture Collection

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## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

#### RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Cooper & Dunham, LLP  
Attention: John P. White  
1185 Avenue of the Americas  
New York, NY 10036

Deposited on Behalf of: The Trustees of Columbia University in the City of New York  
Docket No.: 48231

Identification Reference by Depositor: ATCC Designation

Plasmid, pMX8	97278
Plasmid, P1-1E	97279

The deposits were accompanied by:  a scientific description  a proposed taxonomic description indicated above.

The deposits were received September 14, 1995 by this International Depository Authority and have been accepted.

#### AT YOUR REQUEST:

We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years after the date of deposit, and for a period of at least five years after the most recent request for a sample. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested September 22, 1995. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Date: September 25, 1995

Frank Simione, Acting Director, Patent Depository